

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

SHARESE EASTERLING,	:	CIVIL NO. 3:23-CV-1397
Plaintiff,	:	
v.	:	(JUDGE MANNION)
HOUSING AUTHORITY, et al.,	:	
Defendant	:	

ORDER

Presently before the court in this *pro se* civil rights lawsuit is the report and recommendation of Magistrate Judge Susan E. Schwab. (Doc. 7.) Judge Schwab recommends that Plaintiff's complaint, (Doc. 1), be dismissed because Plaintiff has abandoned her case. No objections have been filed by either party to Judge Schwab's report and the time within which they were due has lapsed.

When no objection is made to a report and recommendation, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v Dentsply Intern., Inc.*, 702 F. Supp.2d 465, 469 (M.D. Pa. 2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every report and recommendation)). In any

event, whether timely objections are made or not, the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1).

When Plaintiff filed her initial complaint, she did not pay the filing fee and instead filed a motion for leave to proceed *in forma pauperis*. (Doc. 2). But Plaintiff did not properly complete this form motion and so it was denied. (Doc. 5.) To date Plaintiff has not filed a properly completed application to proceed *in forma pauperis*, nor has she paid the filing fee. She also failed to respond to Judge Schwab's order to show cause why her complaint should not be dismissed. (Doc. 6.) Accordingly Judge Schwab recommends, and the court agrees, that Plaintiff's complaint should be dismissed.

NOW THEREFORE IT IS HEREBY ORDERED THAT:

(1)The report and recommendation of Judge Schwab, (Doc. 7), is

ADOPTED IN ITS ENTIRETY as the decision of the court.

(2) Plaintiff's complaint, (Doc. 1), is **DISMISSED** without prejudice.

(3) The Clerk of Court is directed to **CLOSE** this case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: January 5, 2024

23-1397-01